

REMARKS

With entry of this amendment, claims 2, 5, 12, 13, 17, 20, 27, and 28 have been cancelled, and claims 31-38 have been newly added, leaving claims 1, 3, 4, 6-11, 14-16, 18, 19, 21-26, and 29-38 pending in this application. Based on the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Drawing Objections

The drawings stand objected to as failing to comply with 37 C.F.R. §1.84(p)(5), because “the reference character ‘12’ has been used to designate both the stimulating leads and brain in figure 3,” and because figure 3 does not include the reference character “200” mentioned in the specification. Applicant respectfully traverses these objections, since Fig. 3 illustrates the reference character “12” as pointing to the stimulation lead within the sagittal sinus 204 of the brain—not the brain itself, and Fig. 3 clearly illustrates the reference character “200” as pointing to the brain. As such, Applicant respectfully requests withdrawal of the drawing objections.

Claim Rejections-35 U.S.C. §103

Claims 1, 3, 7, 8, 11, 14-16, 18, 22, 23, 26, 29, and 30 stand rejected under 35 U.S.C. §103, as being obvious over the reference entitled “Methods of Placement of Neurostimulation Lead, Infusion Catheter, and/or Sensor via the Vasculature to the Brain (“Reference A”), in view of U.S. Patent No. 6,597,953 (“Boling”). Applicant respectfully traverses this rejection, since no proper combination of Reference A and Boling discloses, teaches, or suggests the combination of elements required by the claims, as amended.

In particular, independent claims 1 and 16 have been amended to require one of the first and second electrical leads to stimulate a first brain tissue region to treat a neurological disorder, and the other of the first and second electrical leads to record brain signals at the second brain tissue region to monitor the neurological disorder. There is simply no disclosure, teaching, or suggestion in either Reference A or Boling that these steps can be performed in combination with the remaining steps of claims 1 and 16.

Thus, Applicant submits that independent claims 1 and 16, as well as the claims depending therefrom (3, 7, 8, 11, 14, 15, 18, 22, 23, 26, 29, and 30), are not obvious over the combination of Reference A and Boling. In addition, dependent claims 7 and 22 require the first electrical lead to be introduced into the head via the ventricular system. Reference A only discloses introducing electrical leads into the head via the circulatory system, and Boling does not supplement this failed teaching. As such, Applicant respectfully requests withdrawal of the rejections of claims 1, 3, 7, 8, 11, 14-16, 18, 22, 23, 26, 29, and 30.

Withdrawn Claims

Pursuant to MPEP §809, Applicant respectfully requests allowance of withdrawn claims 4, 6, 9, 10, 19, 21, 24, and 25 upon the allowance of independent claims 1 and 16 from which they depend.

New Claims

Applicant submits that newly added claims 31-38 find support in the specification, as originally filed, and are patentable over the cited prior art for at least the same reasons as independent claims 1 and 16 from which they depend are patentable.

Conclusion

Based on the foregoing, it is believed that all claims are now allowable and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this response, the Examiner is respectfully requested to contact the undersigned at (949) 724-1849.

Respectfully submitted,

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